

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ADVANCED MICRO DEVICES,)	
)	
Plaintiff,)	
)	
v.)	Civil Action
)	No. 05-441-JJF
INTEL CORPORATION,)	
)	
Defendant.)	

A teleconference was taken pursuant to notice before Debra A. Donnelly, Registered Professional Reporter, in the law offices of Blank Rome, LLP, 1201 North Market Street, Wilmington, Delaware, beginning at 9:30 a.m., on Tuesday, April 22, 2008, there being present:

BEFORE: THE HONORABLE VINCENT J. POPPITI, SPECIAL MASTER

ALSO PRESENT: ELIZABETH OESTREICH, ESQUIRE
BLANK ROME, LLP

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1 SPECIAL MASTER POPPITI: Counsel,
2 Vincent Poppiti just joined. Good morning.

3 The purpose of the call is, quite
4 simply, to discuss a date for the ultimate presentation
5 of the motion.

6 I expect we can be doing that by
7 teleconference, unless anyone suggests the alternative;
8 namely, a show-up in the courthouse.

9 Does anyone disagree that we can do this
10 by telecon?

11 MR. HORWITZ: Your Honor, this is Rich
12 Horwitz for Intel.

13 This is a very important motion, and we
14 had not discussed it, frankly, whether it would be in
15 person or by telephone.

16 SPECIAL MASTER POPPITI: Okay.

17 MR. HORWITZ: So I would ask if we could
18 maybe hold off on that. There may be significant
19 third-party interest, because third-party documents are
20 involved, and we may be better off in a more formal
21 setting. I don't know. Like I said, we haven't really
22 discussed it yet.

23 SPECIAL MASTER POPPITI: Okay. I'm
24 happy to land on a date and then hold the decision as to

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1 whether it will be in person in the courthouse or on the
2 phone.

3 Does anyone else have any thoughts with
4 respect to that particular issue?

5 MR. KING: Your Honor, it's Jon King
6 from Cohen Milstein in San Francisco for the proposed
7 Intervenor, and we would be fine with a phone hearing.
8 In person, of course, would be fine as well. But
9 whatever is convenient to Your Honor we can make work.

10 SPECIAL MASTER POPPITI: So if we begin
11 at 9:00, that's all right with you, Mr. King?

12 MR. KING: Yes, it is.

13 SPECIAL MASTER POPPITI: I'm just
14 kidding, sir. That would be an early morning for you on
15 the West Coast.

16 No, I understand. And certainly if we
17 did it by telephone we would accommodate a West Coast
18 schedule.

19 Anyone else, please?

20 (No response.)

21 SPECIAL MASTER POPPITI: Okay. Then the
22 other question is, having the first brief filed, and I
23 expect you were expecting that it was going to be
24 something that perhaps Judge Farnan would have dealt with

1 himself, in light of the fact that he has assigned me the
2 responsibility of dealing with the application, my
3 question is with respect to the briefing schedule, should
4 we be talking about something that is more abbreviated
5 than the traditional briefing schedule established for
6 District Court filings to the judge?

7 And by that I mean shortening the number
8 of days for the answer and also shortening the number of
9 days for the reply, not necessarily shortening; that is,
10 abbreviating the number of pages that are permitted.
11 Because the first brief has already been filed, and it
12 seems to me it would be unfair to require that there be
13 an abbreviation of the next two filings.

14 MR. KING: Your Honor, it's Jon King.

15 If I might take a first crack at that,
16 if no one objects. And this might inform a bit of the
17 discussion here.

18 Our hope as the proposed Intervenor is
19 to work backwards from something we have in mind, which
20 is our motion is really two parts. One part pertains to
21 the ongoing European Commission proceedings involving
22 Intel, and the second part pertains to possible future
23 private damages litigation that may flow from that in
24 Europe.

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1 SPECIAL MASTER POPPITI: Yes.

2 MR. KING: Focusing for a minute on just
3 the European Commission proceedings, which relates to the
4 timing here, our anticipation is that it's quite likely
5 in the fall the Commission will be prepared to issue a
6 decision in the matter. And what we understand that
7 means is, because of the summer break schedule there,
8 that really they would need to have any submissions in
9 hand by mid July at the latest in order for it to be
10 considered.

11 And so our hope in the present case is
12 to really get this matter resolved by very early July, at
13 the latest. And I think probably what that means is
14 we're a bit more extended than a very expedited briefing
15 schedule, but it's not so wide open, maybe, as Intel
16 probably is going to like here.

17 I have some dates in mind. I don't know
18 if Your Honor would like me to go into them now, but I
19 think that might make this work and also give plenty of
20 time to Intel and the third parties to brief the issues.

21 SPECIAL MASTER POPPITI: Yes, I
22 certainly would like to hear those dates so that the
23 discussion can be fully informed.

24 The only observation I would make as you

1 propose those dates, Mr. King, is, and you may be mindful
2 of this, I just would like to remind you of it, whatever
3 work I accomplish with respect to the motion, were there
4 to be an exception taken, there is going to have to be
5 built-in time for purposes of taking the exception. And
6 then, of course, although I can commit myself to time
7 certain for purposes of issuing a document, once the
8 briefing has closed and once the argument has occurred,
9 I, of course, have no authority to commit the Court to a
10 date certain for the issuance of any decision that Judge
11 Farnan would have were there to be an exception to my
12 work.

13 MR. KING: Yes, okay.

14 SPECIAL MASTER POPPITI: So what you may
15 want to be building into whatever you have to offer is
16 perhaps a consideration of an abbreviated deadline
17 following the work I do. Namely, instead of the time
18 permitted by the rule, it could be a 10-day turnaround, a
19 5-day turnaround, a 15-day turnaround, but as soon as we
20 start extending all the deadlines out, we would be well
21 into mid July conceivably.

22 MR. KING: Okay.

23 SPECIAL MASTER POPPITI: Is that
24 helpful?

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1 MR. KING: That is very helpful. Here
2 is what I had in mind, and then maybe we can see if it
3 then works with what is likely to come after Your Honor
4 would issue a decision with the further briefing to the
5 Court.

6 We -- and our motion was filed
7 April 9th.

8 SPECIAL MASTER POPPITI: Yes.

9 MR. KING: That's the first date to keep
10 in mind.

11 And Intel, in our meet-and-confer
12 discussions, raised a good point, which is that we need
13 to make certain that any of the third parties affected by
14 this motion would have notice of it, and so what we
15 thought is that by Friday, on the proposed Intervenor's
16 side, we would have notice in hand to all of the affected
17 third parties. So that would be this Friday, the 25th.

18 SPECIAL MASTER POPPITI: Okay.

19 MR. KING: And then we would propose the
20 next date to be Friday, May 16th, which would be three
21 weeks later, and that would be the deadline for any
22 response briefs from Intel and the third parties to be
23 due May 16th.

24 And that, with respect to Intel, that

1 would mean Intel would actually have had five weeks since
2 they received the motion definitively, you know, on
3 April 9th by electronic filing system.

4 We would then propose two weeks for our
5 reply to whatever -- to Intel's opposition, which would
6 make our reply due May 30th, Friday, May 30th.

7 And in our meet-and-confer process,
8 Intel also requested an opportunity to comment, if
9 needed, on any of the third-party submissions that might
10 come in, and we think that's fair to the extent any
11 third-party submission somehow impacts or references
12 Intel.

13 In other words, if for some reason a
14 third party had produced material that contained some
15 confidential Intel information, and let's say the third
16 party took some positions throwing their hands up in the
17 air saying, fine, we will produce this, Intel would still
18 have an opportunity to comment on it. We would make that
19 date May 30th for both our replies.

20 SPECIAL MASTER POPPITI: Oh, for both.
21 Okay. Good.

22 MR. KING: Response to any third
23 parties.

24 And from there would be at Your Honor's

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1 discretion, whatever the soonest appropriate hearing
2 date, whether by phone or in person, could be scheduled.
3 That is our proposal.

4 SPECIAL MASTER POPPITI: Okay. Does
5 anyone want to weigh in on that proposal, please?

6 MR. HORWITZ: Your Honor, this is Rich
7 Horwitz. I will be speaking for Intel during the call on
8 the issues on scheduling before Your Honor today.

9 Your Honor, the first thing is the
10 notion that there is urgency here. I just want to hit
11 this right away. The urgency is just not there. And if
12 there is a deadline, which we submit there isn't, because
13 no one knows when the EC might rule, it's only the
14 proposed Intervenor's own making.

15 The statement of objections in this
16 matter in the EC was, I think, July 2007. Intervenors
17 knew about this way back then. They appeared at a
18 hearing in March of this year, and by what we understand,
19 Your Honor, the record is closed for third parties in the
20 proceedings on this statement of objections. So, as we
21 understand it, Your Honor, they cannot submit anything
22 into the file before the European Commission.

23 So this whole thing of trying to create
24 urgency, trying to create a need, based on our

1 understanding, is not there for two reasons. One,
2 because they sat on their hands; and, two, at this point
3 they can't put anything else into the record before the
4 European Commission.

5 SPECIAL MASTER POPPITI: Well,
6 Mr. Horwitz, how, then, can I be informed with respect to
7 that? I mean, I understood the application to be to set
8 this schedule because there was urgency, as Mr. King
9 outlines it.

10 MR. HORWITZ: I appreciate that, Your
11 Honor. And our schedule is different, and for me to be
12 able to describe to you why their, quote, urgency is a
13 fallacy, I need to give you a little bit of background
14 information so that we're not whipsawed into a schedule
15 that we think is inappropriate.

16 SPECIAL MASTER POPPITI: Okay.

17 MR. HORWITZ: Your Honor, the other
18 factor here, which they really haven't mentioned, either
19 in their papers or this morning, is that the Commission
20 asked for information under its own power, not under the
21 statutory power. They got it from Intel and they also
22 got it from major third parties whose documents are a
23 part of the production in this case that would be at
24 issue.

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1 So the Commission, which is the body
2 that is working on the report, which if there is any
3 urgency, it's the Commission's urgency, they already did
4 it on their own. And that Commission has a history here,
5 Your Honor.

6 The Commission has not used Section 782
7 power historically; in fact, they've opposed
8 applications. In fact, one was important enough in a
9 prior matter between AMD and Intel it went up to the
10 Supreme Court of the United States, and the Supreme Court
11 said if they don't want to use it, we're not going to
12 order it.

13 So what you have here is a third party
14 wanting to rush to get something done to put something in
15 front of a Commission where our understanding is the
16 record is closed for them, and where the Commission on
17 its own already got the documents that it asked for with
18 its own power and chose not to use the 782 power that the
19 proposed Intervenor is proposing to use here.

20 SPECIAL MASTER POPPITI: Let me ask this
21 question, then, in light of your comments, Mr. Horwitz.
22 And the question is directed to both you, Mr. King, and
23 to Mr. Horwitz.

24 If there is, and I expect there is,

1 because I think I've just heard it, a dispute as to
2 whether there is the urgency, Mr. King, that you suggest,
3 it seems to me that perhaps what should be done is for
4 there to be a very brief schedule, very brief schedule
5 permitting the both of you, and we'll talk about what the
6 document, perhaps, should look like, a document to me on
7 the one hand articulating the reason for the urgency and,
8 on the other hand, permitting Mr. Horwitz to make his
9 position more clear, if you will.

10 And I understood what you were saying,
11 Mr. Horwitz, but just to ground it better, in terms of
12 your understanding as to, number one, where the
13 proceedings are, and perhaps even more importantly,
14 number two, where the Commission is with respect to 782
15 submittals.

16 My thought would be that it would be a
17 very quick turnaround, number one; and my other thought
18 would be that it would be a determination that I would be
19 making, that with respect to this determination, it would
20 not be subject to review by Judge Farnan, it would just
21 simply be a matter of process for me to determine whether
22 the schedule that I select would be one that was
23 reflective of Mr. King's claim of urgency or one that was
24 in tune with Mr. Horwitz' suggestion that there is no

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1 urgency.

2 Does the concept make sense, first of
3 all, because I certainly don't think you as good
4 advocates are going to be able to inform me on what is
5 actually, from your perspective, in any event, the case
6 with respect to the EU proceedings?

7 MR. KING: Your Honor, it's Jon King.

8 I do have on the line with us Vincent
9 Smith from our London office, who is quite well versed in
10 the EC proceedings and how things work there.

11 I'm tempted to offer, if Your Honor
12 would like, his comments now, but if -- I just think
13 we're still going to have a dispute. So I would -- I
14 think Your Honor's idea is perfectly appropriate, and we
15 can do as quick a turnaround as you would like on this
16 and put something in writing.

17 Maybe the other thing to do, I might
18 suggest, is perhaps even today we can have a quick meet
19 and confer between the parties to see if there is some
20 common ground in our understanding of what's going on
21 and, you know, maybe that can get us somewhere, maybe
22 not. But we're happy to put something in writing.

23 SPECIAL MASTER POPPITI: Mr. Horwitz.

24 MR. HORWITZ: Your Honor, that's fine.

1 And we can respond, you know, with a little bit of time
2 to respond, we'll be happy to respond quickly and use
3 that process.

4 Your Honor, if you would like, I can
5 also give you some comments on the overall schedule.
6 Because we have been thinking about this for a while, and
7 approached Intervenor's counsel actually the night that
8 they filed the motion to try to engage in the process,
9 because we think it's a little bit more complicated than
10 they've made out, even this morning in terms of the
11 notice and the timing and other things. So --

12 SPECIAL MASTER POPPITI: Yes, I think it
13 would be helpful to at least lay your position out so
14 that, number one, I hear it; and, number two, I have it
15 in mind when I review the record for purposes of looking
16 at the entire picture. And then we can circle back and
17 talk about the initial submittal.

18 MR. HORWITZ: Thank you, Your Honor.

19 As I said earlier, we believe that there
20 is no need for urgency on the schedule right now.

21 In addition, although it's not a big
22 burden on the Intervenors, certainly, or even on class
23 counsel, which is serving as Intervenor's counsel, but
24 Your Honor is aware of what Intel has on its plate right

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1 now with the pretrial submissions that Your Honor has
2 ordered. So that is another thing that we have going on
3 right now and that will be going on in the near future.

4 But even beyond that, Your Honor, to
5 suggest that the notice would go out this Friday, and I
6 think they didn't say today what the notice would be, but
7 I think their suggestion to us before was that they would
8 just send out their motion papers, and we don't think
9 that's sufficient.

10 Also, under the protective order as it
11 currently stands, it's our burden, since it's our
12 production that they're seeking, it's our burden to
13 notify third parties of the potential disclosure of their
14 third-party documents. It's paragraph 18 of the
15 protective order.

16 So what we would propose to do is draft
17 a notice that would go to the third parties that would be
18 meaningful and more than just say here is attached, and
19 that we would propose to give that to the Court and to
20 the Intervenor by April 28th, that they would come back
21 with comments to the Court and to us by May 1, that we
22 would reply by May 2, that the Court would rule on the
23 form of notice somewhere around May 7 to May 9. I don't
24 think that would be a very detailed submission on the

1 form of notice. And then we would mail the approved form
2 of notice to, I think there are probably about 75
3 subpoenaed third parties and others affected, we would
4 get that out by May 14.

5 Then under the protective order, unlike
6 the three weeks, I think it was, that they were proposing
7 for people to respond, the protective order specifically
8 says it's 30 days for third parties to raise any
9 objections. So we go from May 14 to June 17 for third
10 parties to submit any comments.

11 And then what we have thought might be
12 more efficient, rather than us responding on the same day
13 and then reserving the right to respond again, would be
14 for our response to come in to the motion on June 24 so
15 that it would respond to both the intervenors'
16 application and to any third-party submission. And then,
17 frankly, they could take as much time or as little time
18 as they wanted after June 24 to submit their papers to
19 Your Honor in response to any of our submissions and any
20 submissions by the interested third parties.

21 We're talking about, instead of a May
22 date, which they've proposed, really any time from the
23 end of June to early July, as much time as they wanted.
24 So it's probably about a month difference.

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1 SPECIAL MASTER POPPITI: Okay. And I'm
2 not sure it would make any sense to discuss any
3 alternatives to your respective proposals given the
4 initial step that I think is important to take.

5 Do you both agree?

6 MR. KING: It's Jon. I agree, Your
7 Honor. I only have one point to make specifically in
8 response.

9 SPECIAL MASTER POPPITI: Okay.

10 MR. KING: If you don't mind.

11 SPECIAL MASTER POPPITI: No, please.

12 MR. KING: Which relates to the
13 reference to paragraph 18 of the protective order. And I
14 would just refer Your Honor to it to take a look at it,
15 because I don't see that it applies at all in these
16 circumstances.

17 What it seems to envision is a limited
18 situation in which if Intel had confidential information
19 in its possession belonging to a third party and was
20 required to produce that information, that would trigger
21 this up to 30-day notice provision. And I note only a
22 couple things.

23 I don't believe it applies at all here,
24 but if it does, it specifically states the notice should

1 be given promptly, uses that word, to any third party.
2 And if I understood Intel's proposal correctly, the
3 notice wouldn't go out until May 14th, and that doesn't
4 seem promptly.

5 And then the other part of that is, is
6 the reference to 30 days. It does say up to, but not to
7 exceed 30 days as the outer limit. That's not a fixed
8 time period.

9 SPECIAL MASTER POPPITI: Just give me
10 one moment. I just want to pause as you are speaking to
11 look at that paragraph. Just give me one moment, please.

12 All right, counsel. I have read that,
13 and I'm mindful of what you both have to say with respect
14 to it.

15 Let's do this. And, Mr. Horwitz, I
16 guess my only observation would be if I make the
17 determination that there is a degree of urgency, then I
18 would expect that you would be looking to consider
19 retooling your proposed dates.

20 Is that a fair comment?

21 MR. HORWITZ: I think that's fair, Your
22 Honor.

23 Your Honor, with respect to the
24 protective order, I think it applies even more when

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1 you're talking about not a specific document here or
2 there, but wholesale everything that's been produced.
3 And I don't recall if Mr. King was involved in the
4 process that we all went through to get the protective
5 order in place, and with the attention that was paid to
6 third-party interests.

7 So I think, looking back on that,
8 running quickly unnecessarily just wouldn't really serve
9 the purpose that we've been trying to accomplish all
10 along to protect everyone's interest.

11 SPECIAL MASTER POPPITI: And I think
12 what you may have just said is even if, and this is
13 certainly no indication of how I would interpret the
14 language of paragraph 18, but even if the precise
15 language of 18 doesn't cover this circumstance, I think
16 what you're suggesting is it is at least a good pointer
17 and guideline, given what you did just suggest; namely,
18 hopefully the care that was taken in considering the
19 issue about third parties and documents in this case.

20 MR. HORWITZ: Your Honor, just one
21 further comment. Any suggestion that third parties might
22 not care much about this, I think is just kind of silly,
23 because who knows what kind of protection any of these
24 documents would have if they were used in a yet-to-be-

1 filed action undefined somewhere in Europe. And
2 certainly third parties would care about that, since they
3 know what the protections are on their documents, as they
4 did in this case in this District Court in the United
5 States.

6 MR. KING: Your Honor, it's Jon.

7 The only reason I used the hypothetical
8 of a third party not caring was because for the life of
9 me I couldn't really understand otherwise why Intel in
10 its schedule would want to build in a specific
11 opportunity for it to respond to the written comments of
12 third parties.

13 In other words, what I actually presume
14 is that the arguments will be quite uniform here among
15 Intel and the third parties, specifically that they will
16 all object to our request for access to the evidence in
17 this case.

18 So that was the only reason I use an
19 example of a third party not caring.

20 SPECIAL MASTER POPPITI: Okay. I
21 understand. Then let's look at the first issue schedule.

22 Expecting that you all have your view in
23 mind and support for your view in hand, would it not make
24 sense to look for a first filing from the proposed

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1 Intervenor on the -- can it be done close of business
2 Monday, the 28th?

3 MR. KING: Let me just confer. Vincent
4 Smith is on the line.

5 Vincent, does that sound workable from
6 your end there?

7 MR. SMITH: Yes, it does.

8 MR. KING: Your Honor, then that's fine
9 with the proposed intervenors.

10 SPECIAL MASTER POPPITI: Since we landed
11 on a first date, let's talk about page limit.

12 I would expect I'm going to see some
13 development of your position, but I'm also expecting to
14 see that there would be a declaration about the EU
15 process, the status of the process, things that were in a
16 sense raised by Mr. Horwitz.

17 So talk about the number of pages that
18 you think you need to develop your position. The number
19 of pages would not include any attachments or appropriate
20 declarations.

21 MR. KING: And this, Your Honor, I would
22 understand to be in the form of a letter brief?

23 SPECIAL MASTER POPPITI: Yes.

24 MR. KING: I would think -- Vincent,

1 what do you think? A couple, five pages, I would think.

2 MR. SMITH: Five would be ample, I would
3 have thought, if we can add a declaration.

4 SPECIAL MASTER POPPITI: Mr. Horwitz,
5 does that sound adequate, five with a declaration and any
6 supporting?

7 MR. HORWITZ: Yes, Your Honor.

8 SPECIAL MASTER POPPITI: Okay. That's
9 good. That's six calendar days.

10 Just give me a moment, please.

11 Mr. Horwitz, I don't know whether you
12 want a shorter period of time in which to do it or
13 whether you want the full time that I just permitted the
14 proposed Intervenor.

15 You're going to have to give me a
16 shortcut. I know I heard it at the front end of the
17 teleconference, but I wasn't smart enough to write it
18 down precisely with respect to your client's name.

19 MR. HORWITZ: I'm sorry, was this for
20 the proposed Intervenor?

21 SPECIAL MASTER POPPITI: Yes, please.
22 Tell me what you're calling your client again for
23 purposes of shortcutting.

24 MR. KING: We refer to them as QC to

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1 make it as simple for us as possible, so I would propose
2 that.

3 SPECIAL MASTER POPPITI: Thank you.
4 That's very good.

5 Mr. Horwitz, I don't know whether you
6 want the 5th or you want to be filing it sooner than
7 that, May 5?

8 MR. HORWITZ: Your Honor, let me defer
9 to either Mr. Bernhard or Mr. Denger, since they probably
10 would know a little better how long it would take to put
11 together what we would put together.

12 MR. BERNHARD: Your Honor, this is
13 Darren Bernhard. May 5 is fine with us. I think we
14 would, since we don't know exactly what they're going to
15 file, we would like to take that much time if we could
16 have it.

17 SPECIAL MASTER POPPITI: Okay. May 5 is
18 fine. What we will do with respect to both, we will do
19 close of business East Coast time on both of those dates.

20 I don't expect that I need a reply, so
21 the next date would be a date for the actual
22 presentation. And expecting that I would make some
23 determination on that date, we would then be prepared to
24 talk about the alternative schedules. And would you

1 check your calendars, please, either for the 8th, which
2 is a Thursday, or 9th, which is a Friday.

3 MR. KING: Your Honor, for the proposed
4 Intervenor, Thursday the 8th is preferable, if possible,
5 but I could make the 9th work, if needed, as well.

6 SPECIAL MASTER POPPITI: Okay.
7 Mr. Horwitz, you and your team?

8 MR. HORWITZ: What time, Your Honor?

9 SPECIAL MASTER POPPITI: Well, I would
10 be thinking, since we'll be doing by telecon, we can
11 begin at noon.

12 MR. HORWITZ: That, at least for me,
13 noon on either the 8th or 9th would work. I don't know
14 about for my colleagues.

15 MR. KING: Your Honor, it's Jon.

16 I wonder for timing purposes, given that
17 it may be advisable that we have Vincent Smith
18 participate on that call from our London office.

19 SPECIAL MASTER POPPITI: Yes.

20 MR. KING: That if it works for
21 everyone, that we do it earlier in the morning. I don't
22 mind it being early West Coast time.

23 SPECIAL MASTER POPPITI: Okay.

24 MR. KING: You know, this type of time

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1 actually probably might work best for everybody
2 geographically to make it workable.

3 SPECIAL MASTER POPPITI: So you are
4 suggesting 9:30 again?

5 MR. KING: Do it early if we can.

6 SPECIAL MASTER POPPITI: 9:30. If you
7 want to begin earlier than that, that's fine. But 9:30
8 works for me.

9 MR. KING: Vincent, I should ask if that
10 works for you as well?

11 MR. SMITH: Preferably on the 8th, yes.

12 MR. DINGER: This is Mike Dinger from
13 Gibson, Your Honor.

14 It works for me.

15 MR. BERNHARD: And Darren Bernhard from
16 Howrey.

17 It works, Your Honor. We are likely to
18 have European counsel as well. He is not on this call.
19 If you could hold the 8th, and if there is any issue, we
20 will get back to you today.

21 SPECIAL MASTER POPPITI: Yes, that will
22 be helpful.

23 What I will do is schedule it, then, for
24 May the 8th at 9:30, and everyone should be prepared for

1 your respective presentations and then discussion,
2 ultimate discussion of schedule. So I would imagine we
3 could be a couple of hours.

4 Are there any other matters, then, for
5 us to deal with today?

6 MR. KING: I don't think so, Your Honor,
7 from this end.

8 MR. HORWITZ: Not from Intel, Your
9 Honor.

10 SPECIAL MASTER POPPITI: Wait, I did not
11 give a -- it's going to be the same five-page limit on
12 the response. Correct?

13 MR. HORWITZ: Yes, Your Honor.

14 SPECIAL MASTER POPPITI: Okay. And,
15 counsel, would you need the transcript expedited?

16 MR. HORWITZ: Today's transcript?

17 SPECIAL MASTER POPPITI: Yes.

18 MR. HORWITZ: I think we would like it,
19 yes, Your Honor.

20 MR. KING: Yes, Your Honor, the same
21 from the Intervenor.

22 SPECIAL MASTER POPPITI: All right.

23 Thank you all, then, very much.

24 (Teleconference concluded at 10:10 a.m.)

Teleconference

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C E R T I F I C A T E

STATE OF DELAWARE
NEW CASTLE COUNTY

I, Debra A. Donnelly, a Notary Public within and for the County and State aforesaid, do hereby certify that the foregoing teleconference was taken before me, pursuant to notice, at the time and place indicated; that said teleconference was correctly recorded in machine shorthand by me and thereafter transcribed under my supervision with computer-aided transcription; that the transcript is a true record of the teleconference; and that I am neither of counsel nor kin to any party in said action, nor interested in the outcome thereof.

WITNESS my hand and official seal this day of
April A.D., 2008.



DEBRA A. DONNELLY, RPR
CERTIFICATE #151-PS
EXPIRATION: PERMANENT

